IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

Tr.P(C).No. 311 of 2006()

OPMV.346/2000 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD
TO ADDL.MOTOR ACCIDENTS CLAIMS TRIBUNAL, PALAKKAD

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PETITIONER/CLAIMANT

KARUPPASWAMY, S/O.RANGASWAMY KOUNDER,
AGED 36 YEARS, RESIDING AT MOOLAKKADA,
MEENAKSHIPURAM, MOOLATHARA VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.BINOY VASUDEVAN

RESPONDENTS: RESPONDENTS

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1. K.K.KOCHUMARAKKAR,
KUMMANCHERI HOUSE, CHANGAMPUZHA NAGAR,
KALAMASSERI, KOCHI.

2. SHAJIMON, S/O.PURUSHOTHAMAN,
PUTHUVAYAL NORTH VEEDU, CHERTHALA,
ALAPPUZHA DT.

3. THE NATIONAL INSURANCE COMPANY LTD.,
MANAPPATT CENTRE, HMT JUNCTION,
P.B.NO.17, KALAMASSERY, KOCHI.

BY ADV. SRI.K.A.SHAMSUDEEN
SRI.C.K.ABDUL RAHIM

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

Tr.P.(C)NO.311 OF 2006

DATED THIS THE 15th DAY OF DECEMBER, 2006

ORDER

Petitioner is a claimant in a motor accident case pending before Motor Accidents Claims Tribunal, Palakkad. This petition is filed to transfer that case to Addl. Motor Accidents Claims Tribunal, Palakkad contending that O.P.(MV)194/98 is pending there. The contention of petitioner is that all the records are produced in O.P.(MV)194/98 and that case was filed by one of the legal heirs of the injured in the same accident after the death of the injured and therefore all the cases are to be tried together and for that purpose this case is to be transferred to other Additional M.A.C.T. A similar petition was filed earlier by another claimant for transfer raising same contention and this Court dismissed the application holding that there is no necessity to transfer that case. Similar request was made in transfer petition 311/06. The question whether petitioner is entitled to compensation depends on the injury sustained by him. It has nothing to do with O.P.(MV)346/00 pending before Motor Accident Claims Tribunal, Palakkad. Hence this petition is dismissed.

M.SASIDHARAN NAMBIAR,JUDGE

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